

EXHIBIT 15

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SAGI GINGER, : 17-CV-8181 (VSB) (DCF)
:
Plaintiff, :
:
v. :
:
ORLY GINGER, : 500 Pearl Street
:
Defendant. : New York, New York
:
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January 8, 2019

TRANSCRIPT OF CIVIL CAUSE FOR HEARING
BEFORE THE HONORABLE DEBRA C. FREEMAN
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

For the Plaintiff: JOHN DELLAPORTAS, ESQ.
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For the Defendant: MICHAEL BOWEN, ESQ.
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1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

3 APPEARANCES CONTINUED:

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13 New York, New York 10178

14 For David Broser: MITCHELL GOLDBERG, ESQ.

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1 in front of us, and that Arie then whatever he gets, he
2 pledged to Mr. Herschmann.

3 So all of this ends up going -- it forms a perfect
4 circle whereby Orly's assets end up, as long as they're
5 married I assume, be used for the benefit of Orly. So this is
6 something we definitely need to explore in discovery. It may
7 be in the accountants. We have other subpoenas that are
8 before Your Honor as well where we're seeking to vet this, but
9 that's why it's relevant. Thank you, Your Honor.

10 MR. HERSCHMANN: Can I respond, Your Honor? Eric
11 Herschmann. And this is exactly the point I'm talking about.
12 The issue of what's debt, whether Orly had a mortgage or
13 whether she was lent money subsequent to a 2014 judgment,
14 right, and it's UCC filed, which is what a secured creditor
15 does when they lend money, that's irrelevant. It's totally
16 irrelevant to judgment enforcement.

17 What he's trying to say is if there's a -- if I go
18 exercise my judgment and if an asset has a lien on it, there's
19 a mortgage on a property, I'm entitled to understand the
20 mortgage and everything else to see whether or not I can get
21 ahead of the mortgage. That's not what you do in judgment
22 enforcement. You're checking on what the debtor has, right.
23 But if there's a lien that's been public filed, that's what's
24 happened.

25 The reality of what money got lent and who lent the

1 money and how it was done, that's not relevant to his judgment
2 enforcement. What he's trying to say is it may be that I
3 think your loans or whatever are fraudulent. He can suppose
4 that, but he'll have no basis for saying it. And I think the
5 issue, and that's why, Your Honor, the focus should be on what
6 assets she has.

7 If she owes \$100 million or \$10 million and that
8 money is owed into a secured creditor and Sagi is an unsecured
9 creditor -- and as Mr. Dellaportas well knows that if this
10 judgment is upheld on appeal, that Orly will file for
11 bankruptcy. That has been made clear. There is no dispute
12 about that fact, right. I don't think Sagi Genger disputes
13 it, Orly Genger has said it under oath. It has been -- it
14 becomes abundantly clear that's what will transpire.

15 But he's here to pursue assets of Orly or debts that
16 are due and owing to Orly, not what she owes to other parties.

17 THE COURT: First of all, I don't know what the
18 documents are. I don't even know -- I'm going to direct this
19 to Mr. Lust -- I don't even know if they're severable. I
20 don't even know if there are documents that would be produced
21 with respect to debts owed to where you could carve out
22 information about debts owed by without having to be, you
23 know, redacting a document. There may be a net worth
24 statement or something that has, you know, more than one
25 column in it.

1 I certify that the foregoing is a court transcript from
2 an electronic sound recording of the proceedings in the above-
3 entitled matter.

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6 Shari Riemer, CET-805

7 Dated: January 22, 2019
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